

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested.

Currently claims 1, 4, 8, 10, 13 and 16 are under consideration, including independent claims 1, 13 and 16. Claim 1 is directed to a composite tissue structure, claim 13 is directed to a tissue, and claim 16 is directed to a method of manufacturing a tissue. All of the claims require the tissue to contain at least three webs, namely a first outer web, a middle web and a second outer web. In accordance with the present invention, the middle web has a thickness greater than the thickness of either the first or the second outer web. Further, the middle web has a bulk that is greater than the bulk of either the first or the second outer web.

As now amended, all of the claims require that the outer webs contain pulp fibers. Further, the claims have also been amended to state that the tissue products are formed from "webs" in order to eliminate the issue raised by the Examiner as to the difference between layers and plies.

Support for the above amendment can be found throughout the specification and drawings. For example, the Examiner's attention is particularly directed to the Examples in which different webs are joined together in forming the products of the present invention. On pages 17-19, the formation of webs is described with respect to different tissue making processes. The webs are then used in forming the products described in Examples 1-10. Please note that the webs used to form the composite tissue product of the present invention can be made from different tissue making processes or from the same process. Finally, the Examiner's attention is also directed to page 8 which describes the prior art tissue product shown in Figure 1 as being a laminate formed from "paper webs."

In the Office Action, claims 1, 4, 8, 10 and 16 were rejected under 35 USC § 103 in view of Merker either alone or in combination with Salman or Mahl. As stated in Applicants' previous response, Merker fails to disclose or suggest a composite tissue product containing at least three webs in which a middle web has a thickness and bulk greater than the outer webs. Instead, Merker teaches a single ply base web made from a stratified fiber furnish having three layers. As shown in the drawings and as clearly described in Merker, the three layers are contained in a single ply or web. Thus, since Merker fails to disclose or suggest a multiple ply product containing at least three webs as defined in the currently pending claims, Applicants submit that Merker fails to anticipate or render obvious any of the currently pending claims.

Further, Applicants also respectfully submit that it would not have been obvious to modify Merker to arrive at the claimed invention either when viewed alone or in conjunction with Salman or Mahl. For example, Merker is directed to subjecting layered but single ply webs to a print creping operation. Merker does not teach or explain how a composite tissue containing at least three webs may somehow be subjected to a print creping process as disclosed in Merker. As such, it is believed that the claims patentably define over Merker and the other two cited references.

In the Office Action, claims 1 and 8 were also rejected as being anticipated by U.S. Patent No. 3,837,995 to Floden. As now amended, however, claim 1 requires that the outer webs of the composite tissue structure contain pulp fibers. Claim 1 further requires that the middle web has a thickness and bulk greater than the outer web.

Floden does disclose a three ply composite structure that includes a middle ply made of thermoplastic microfibers located between two outer plies of natural fibers. As opposed to claim 1 and 8, however, Floden does not disclose that the middle ply made from thermoplastic microfibers has a bulk that is greater than the bulk of the outer

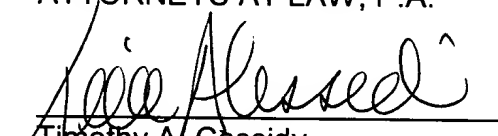
layers made from natural fibers. As such, Applicants submit that Floden fails to anticipate claims 1 and 8.

In summary, Applicants submit that the presently pending application is in complete condition for allowance. Favorable reconsideration and allowance are respectfully requested. Examiner Halpern, however, is invited and encouraged to telephone the undersigned should any issues remain after consideration of this Response.

Respectfully submitted,

DORITY & MANNING,
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